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Dated: 7-19-05 Signature: Maura A. Gallagher  
(Maura A. Gallagher)

Docket No.: AFMX-P02-040  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
McGall et al.

Application No.: 10/619799

Confirmation No.: 7882

Filed: July 14, 2003

Art Unit: 1639

For: REAGENTS AND METHODS FOR SOLID  
PHASE SYNTHESIS AND DISPLAY

Examiner: M. L. Shibuya

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The Office Action mailed June 15, 2005 indicates that the Office Action mailed May 4, 2005 is withdrawn because the restriction requirement made therein was not based on the claims as amended by the Preliminary Amendment dated July 14, 2003. Thus, it is believed that only a one month Extension of Time is required to respond to the Office Action mailed June 15, 2005, setting forth multiple species election requirements. However, if a further Extension of Time is required, Applicants request the appropriate Extension of Time and authorize payment of the associated fee.

The Examiner has required Applicants to elect arrays of diverse small ligand molecules or arrays of diverse polymers as a species for prosecution on the merits. Applicants hereby elect arrays of diverse polymers. Claims 23-34 read on the elected species.

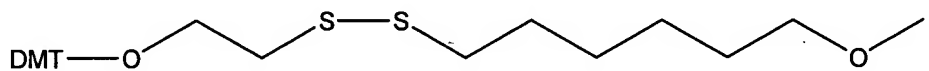
Because Applicants elected arrays of diverse polymers, the Examiner has required Applicants to elect a species of polymer for prosecution on the merits. Applicants hereby elect polynucleotides. Claims 23-29 and 31-34 read on the elected species.

The Examiner has required Applicants to elect a species of solid support or substrate for prosecution on the merits. Applicants hereby elect silicon. Claims 10 and 23-34 read on the elected species.

The Examiner has required Applicants to elect solid supports connected to linking groups by bonds or solid supports connected to linking groups by spacer groups as a species for prosecution on the merits. Applicants hereby elect solid supports connected to linking groups by spacer groups. Claims 10 and 23-34 read on the elected species.

Because Applicants elected solid supports connected to linking groups by spacer groups, the Examiner has required Applicants to elect a specific species of spacer group for prosecution on the merits. Applicants hereby elect hydroxyalkyltrialkoxysilanes. Claims 10 and 23-34 read on the elected species.

The Examiner has required Applicants to elect a linker species chemical structure for prosecution on the merits. Applicants hereby elect the following chemical structure:



which is disclosed in FIG. 1A. In this structure,  $P^1$  is DMT;  $X^1$  and  $X^2$  are each  $-O-$ ;  $W^1$  and  $W^2$  are each methylene;  $n$  is 2 and  $m$  is 6. Because the chemical structure recited in claim 10 includes an additional moiety,  $P^2$ , Applicants elects  $P^2$  to be an activating group,  $P(N(\text{isopropyl})_2)(OCH_2CH_2CN)$ , again as shown in FIG. 1A. Claims 10 and 23-34 read on the elected species.

Applicants' Agent, Jesse Fecker, contacted the Examiner on July 5, 2005 regarding the further elections mentioned in Paragraph 8 of the Office Action. Applicants' Agent understands that the election of species with respect to Groups was mistakenly included in the Office Action. Accordingly, no further elections are needed in this Response. Applicants' Agent thanks the Examiner for clarification of the Office Action.


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Applicants believe no fee is due with this response, aside from the fee associated with the Petition for Extension of Time. However, if a fee is due, please charge our Deposit Account No. 18-1945, from which the undersigned is authorized to draw, under Order No. AFMX-P02-040.

Dated: July 19, 2005

Respectfully submitted,

By 

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